

Pro Se 7 (Rev. 12/16) Complaint for Employment Discrimination

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

## UNITED STATES DISTRICT COURT ★

JAN 09 2023 ★

for the

LONG ISLAND OFFICE

Eastern District of New York

Division

CV-23-0135

Case No.

(to be filled in by the Clerk's Office)

Coreen J. Bandalos

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Jury Trial: (check one) ☒ Yes ☐ No

DONNELLY, J.  
WICKS, M.J.

Stony Brook University Medical Center

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

## COMPLAINT FOR EMPLOYMENT DISCRIMINATION

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Coreen J. Bandalos
Street Address	437 Browns Rd.
City and County	Nesconset, Suffolk
State and Zip Code	New York 11767
Telephone Number	631-471-6196
E-mail Address	cor-cor82@hotmail.com

## B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

## Defendant No. 1

Name	Stony Brook University Medical Center
Job or Title <i>(if known)</i>	
Street Address	101 Nicolls Rd.
City and County	Stony Brook, Suffolk
State and Zip Code	New York 11794
Telephone Number	631-689-8333
E-mail Address <i>(if known)</i>	

## Defendant No. 2

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

## Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

## Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

**C. Place of Employment**

The address at which I sought employment or was employed by the defendant(s) is

Name	Stony Brook University Medical Center
Street Address	101 Nicolls Rd.
City and County	Stony Brook, Suffolk
State and Zip Code	New York 11794
Telephone Number	

**II. Basis for Jurisdiction**

This action is brought for discrimination in employment pursuant to *(check all that apply)*:

- ☒ Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. §§ 2000e to 2000e-17 (race, color, gender, religion, national origin).

*(Note: In order to bring suit in federal district court under Title VII, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)*

- ☐ Age Discrimination in Employment Act of 1967, as codified, 29 U.S.C. §§ 621 to 634.

*(Note: In order to bring suit in federal district court under the Age Discrimination in Employment Act, you must first file a charge with the Equal Employment Opportunity Commission.)*

- ☐ Americans with Disabilities Act of 1990, as codified, 42 U.S.C. §§ 12112 to 12117.

*(Note: In order to bring suit in federal district court under the Americans with Disabilities Act, you must first obtain a Notice of Right to Sue letter from the Equal Employment Opportunity Commission.)*

- ☐ Other federal law *(specify the federal law)*:

- ☐ Relevant state law *(specify, if known)*:

- ☐ Relevant city or county law *(specify, if known)*:

**III. Statement of Claim**

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. The discriminatory conduct of which I complain in this action includes *(check all that apply)*:

- ☐ Failure to hire me.
- ☐ Termination of my employment.
- ☐ Failure to promote me.
- ☐ Failure to accommodate my disability.
- ☒ Unequal terms and conditions of my employment.
- ☐ Retaliation.
- ☒ Other acts *(specify)*: Suspension without pay

*(Note: Only those grounds raised in the charge filed with the Equal Employment Opportunity Commission can be considered by the federal district court under the federal employment discrimination statutes.)*

B. It is my best recollection that the alleged discriminatory acts occurred on date(s)  
September 28, 2021

C. I believe that defendant(s) *(check one)*:

- ☒ is/are still committing these acts against me.
- ☐ is/are not still committing these acts against me.

D. Defendant(s) discriminated against me based on my *(check all that apply and explain)*:

- ☐ race \_\_\_\_\_
- ☐ color \_\_\_\_\_
- ☐ gender/sex \_\_\_\_\_
- ☒ religion CATHOLIC
- ☐ national origin \_\_\_\_\_
- ☐ age *(year of birth)* \_\_\_\_\_ *(only when asserting a claim of age discrimination.)*
- ☐ disability or perceived disability *(specify disability)* \_\_\_\_\_

E. The facts of my case are as follows. Attach additional pages if needed.

See Attached time line

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*(Note: As additional support for the facts of your claim, you may attach to this complaint a copy of your charge filed with the Equal Employment Opportunity Commission, or the charge filed with the relevant state or city human rights division.)*

**IV. Exhaustion of Federal Administrative Remedies**

- A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding the defendant's alleged discriminatory conduct on *(date)*

10-20-2021

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- B. The Equal Employment Opportunity Commission *(check one)*:

☐

has not issued a Notice of Right to Sue letter.

☒

issued a Notice of Right to Sue letter, which I received on *(date)* 10/11/2022 .

*(Note: Attach a copy of the Notice of Right to Sue letter from the Equal Employment Opportunity Commission to this complaint.)*

- C. Only litigants alleging age discrimination must answer this question.

Since filing my charge of age discrimination with the Equal Employment Opportunity Commission regarding the defendant's alleged discriminatory conduct *(check one)*:

☐

60 days or more have elapsed.

☐

less than 60 days have elapsed.

**V. Relief**

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

- Back pay from the time I was put on leave without pay to my time of my retirement.
- An amount equal to one years lost salary, approximately \$110,000.00 which includes the estimated salary increases. (this amount should include health benefits and union dues which was layed out on my behalf)
- Reimbursement for the retirement benefits which was lost due to her suspension. The reduction of her retirement is based an addition \$700 per month, at the life expectancy of 81 years old, equating to \$201,600.00.
- And any other amount which the court would deem just and proper including punitive damages.

## VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

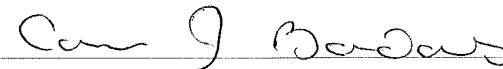
### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 1/9/2023

Signature of Plaintiff

Printed Name of Plaintiff



Coreen J. Bandalos

### B. For Attorneys

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**

## Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.  
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.  
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.  
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.  
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.  
 Original Proceedings. (1) Cases which originate in the United States district courts.  
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.  
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.  
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.  
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.  
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.  
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.  
**PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

New York District Office  
33 Whitehall St, 5th Floor  
New York, NY 10004  
(929) 506-5270  
Website: [www.eeoc.gov](http://www.eeoc.gov)

### **DETERMINATION AND NOTICE OF RIGHTS**

(This Notice replaces EEOC FORMS 161 & 161-A)

Issued On: 10/04/2022

To: Ms. Coreen J. Bandalos  
437 Browns Rd.  
NESCONSET, NY 11767  
Charge No: 520-2022-00255

EEOC Representative and email: Silvia Deng-Batista  
Federal Investigator  
[silvia.deng-batista@eeoc.gov](mailto:silvia.deng-batista@eeoc.gov)

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### **DETERMINATION OF CHARGE**

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

### **NOTICE OF YOUR RIGHT TO SUE**

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice.** Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission,

Digitally Signed By: Timothy Riera  
10/04/2022

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Timothy Riera  
Acting District Director



**Cc:**

Jacquelyn Weisman  
jacquelyn.weisman@stonybrook.edu

Please retain this notice for your records.

Enclosure with EEOC Notice of Closure and Rights (01/22)

## **INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court **under Federal law**. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)*

### **IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT**

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court **within 90 days of the date you receive this Notice**. Receipt generally means the date when you (or your representative) opened this email or mail. You should **keep a record of the date you received this notice**. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

If your lawsuit includes a claim under the Equal Pay Act (EPA), you must file your complaint in court within 2 years (3 years for willful violations) of the date you did not receive equal pay. This time limit for filing an EPA lawsuit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, your lawsuit must be filed within 90 days of this Notice **and** within the 2- or 3-year EPA period.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to <https://www.eeoc.gov/employees/lawsuit.cfm>.

### **ATTORNEY REPRESENTATION**

For information about locating an attorney to represent you, go to:  
<https://www.eeoc.gov/employees/lawsuit.cfm>.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

### **HOW TO REQUEST YOUR CHARGE FILE AND 90-DAY TIME LIMIT FOR REQUESTS**

There are two ways to request a charge file: 1) a FOIA Request or 2) a Section 83 request. You may request your charge file under either or both procedures. EEOC can generally respond to Section 83 requests more promptly than FOIA requests.

Since a lawsuit must be filed within 90 days of this notice, please submit your request for the charge file promptly to allow sufficient time for EEOC to respond and for your review. Submit a signed written request stating it is a "FOIA Request" or a "Section 83 Request" for Charge Number 520-2022-00255 to the District Director at Timothy Riera, 33 Whitehall St 5th Floor

New York, NY 10004.

You can also make a FOIA request online at <https://eeoc.arkcase.com/foia/portal/login>.

Enclosure with EEOC Notice of Closure and Rights (01/22)

You may request the charge file up to 90 days after receiving this Notice of Right to Sue. After the 90 days have passed, you may request the charge file only if you have filed a lawsuit in court and provide a copy of the court complaint to EEOC.

For more information on submitting FOIA Requests and Section 83 Requests, go to:  
<https://www.eeoc.gov/eeoc/foia/index.cfm>.

From: coreen bandalos cor-cor82@hotmail.com  
Subject: Fwd: Bandalos v Stony Brook University Medical Center  
#520-2022-00255  
Date: Oct 11, 2022 at 3:30:44 PM  
To: John uncle-bugs@hotmail.com

Sent from my iPhone

Begin forwarded message:

**From:** SILVIA DENG-BATISTA <[SILVIA.DENG-BATISTA@eeoc.gov](mailto:SILVIA.DENG-BATISTA@eeoc.gov)>  
**Date:** October 11, 2022 at 3:15:26 PM EDT  
**To:** [cor-cor82@hotmail.com](mailto:cor-cor82@hotmail.com)  
**Subject:** Bandalos v Stony Brook University Medical Center  
**#520-2022-00255**

Good Afternoon Ms. Bandalos,

*The EEOC has determined that it will take no further action with regard to your charge. You will be issued a notice of right to sue so that you can pursue your claims against NYU Langone (Respondent) in court.*

*This determination was made after carefully evaluating your case based on the information submitted and applying the laws that we enforce. In your charge, you alleged that you were denied a reasonable accommodation, that you were not granted an exemption from the Covid-19 vaccine and ultimately that you were terminated. The EEOC is unable to conclude that a violation has occurred, when the Respondent/employer has illustrated that the requested accommodation would result in more than minimal hardship to its operations. In your case, your employer showed that granting your accommodation request would be more than a minimal hardship in the circumstances. The Respondent/employer has met its burden under Title VII.*

*You will be notified when the dismissal and notice of right to sue is available for you to review on EEOC's Portal.*

*Sincerely,*

Silvia Deng-Batista  
Federal Investigator  
U.S. Equal Employment Opportunity Commission  
bEmail: [silvia.deng-batista@eeoc.gov](mailto:silvia.deng-batista@eeoc.gov)

**WARNING:** The information contained in this e-mail and any attachments (including, but not limited to, any attached e-mails) may be legally privileged and confidential. If you are not the addressee(s), or an employee or agent of the addressee(s), you are hereby notified that any dissemination, distribution or copying of this e-mail is strictly prohibited. If you have received this e-mail in error, please notify the sender and permanently delete the e-mail and any attachments immediately. You should not retain copy or use this e-mail or any attachment for any purpose, nor disclose all or any part of the contents to any other person.

Parties may obtain status checks, upload and view documents via our portals:

Charging Parties:

<https://publicportal.eeoc.gov>

Respondents:

<https://nxg.eeoc.gov/rsp/login.jsf>

For assistance with the portals:

[digitalsupport@eeoc.gov](mailto:digitalsupport@eeoc.gov)

[800.569.7118](tel:800.569.7118)



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4.2 MB



New York State  
**PUBLIC EMPLOYEES  
FEDERATION, AFL-CIO**

1168-70 Troy-Schenectady Road  
P.O. Box 12414  
Albany, New York 12212-2414

Office of General Counsel

Edward J. Greene, Jr.  
General Counsel

John D. Sware  
Deputy General Counsel

Alison M. Thorne  
Assistant General Counsel

(518) 785-1900 ext. 241 | (800) 342-4306 ext. 241

October 27, 2021

**VIA E-MAIL ONLY (jaysiegel@optonline.net)**

Arbitrator Jay Siegel

Re: *SUNY (Stony Brook Medicine) v. Bandalos, Coreen*  
Our File No. 11033-DA

Dear Arbitrator Siegel:

On behalf of Ms. Bandalos, I submit this position statement for your consideration. For the following reasons, the suspension without pay fails to meet the contractual standard and Ms. Bandalos should be restored to the payroll with all pay, leave credits, and benefits restored.

A valid suspension without pay requires a determination that "there is probable cause that such employee's continued presence on the job represents a potential danger to persons or property or would severely interfere with operations." CBA Art. 33.4(a)(1). Here, the allegations against Ms. Bandalos fail to meet this contractual standard and, in fact, removing an essential health care professional from the workforce only adds to the already strained health care system.

First, Ms. Bandalos has served as a Teaching and Resource Center Nurse II at the State University of New York – Stony Brook Medicine ("employer" or "SUNY") throughout the pandemic. Unlike many Americans, who were permitted to remain safely in their homes during the global pandemic, Ms. Bandalos was required to work as an essential worker for over a year, during which time there was no vaccine available. Even after the vaccine was made available, Ms. Bandalos continued to work on a regular basis. When the public desperately needed her services during the height of the pandemic, when the Employer could not supply sufficient protective equipment, when a vaccine was not available, and even after the vaccine was made available, the Employer enthusiastically welcomed Ms. Bandalos to the workplace. But now, although Ms. Bandalos' unwavering public service has continued, the Employer apparently contends that she has suddenly transmuted into a potential danger or severe interference. In reality, with the healthcare system and its resources being significantly strained by the coronavirus (including the workforce), removing healthcare heroes from the workplace jeopardizes public health and interferes with operations.

Further, the Public Health Law Section 16 Order cited by the Employer provided that unvaccinated personnel would be permitted to work at SUNY and other covered entities if they

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Darien J. Smith  
Breanna M. Bowling  
Kimberly A. Livingstone  
David J. Friedman  
Megan T. Drum  
Benjamin R. Traslaviña  
Alexander R. Thoma  
Associate Counsel

Arbitrator Jay Siegel  
 October 27, 2021  
 Page 2

were provided with a medical or religious exemption. While the religious exemption was eliminated in a subsequent emergency regulation, a court order later permitted unvaccinated personnel to work if granted a religious exemption. As these unvaccinated employees may continue to aid in the battle against COVID-19, the presence of an unvaccinated employee certainly does not severely interfere or represent a potential danger. Specifically, in *Dr. A, et al. v. Hochul, et al.*, 1:21-CV-1009 (N.D.N.Y. Oct. 12, 2021) a preliminary injunction was granted to the plaintiffs, a group of healthcare workers who were denied the opportunity to apply for a religious exemption from the vaccine, because the law “still includes a medical exemption that requires covered entities to make a ‘reasonable accommodation’” and the “defendants have not shown that granting the same benefit to religious practitioners... ‘would impose any more harm—especially when Plaintiffs have been on the front lines of stopping COVID for the past 18 months while donning PPE and exercising other proper protocols in effectively slowing the spread of the disease.’” The service that Ms. Bandalos and other healthcare workers have provided during the pandemic inside these crowded, strained hospitals (and without a vaccine) is undeniably crucial to the hospitals’ operations. As healthcare workers have done so for the past year and a half, the Employer has established no reason to believe Ms. Bandalos cannot safely work by wearing PPE, including a face shield, and maintaining social distance from others when possible. We also note that the permissible accommodations from the vaccine mandate must be “reasonable,” and not pose an “undue hardship.” N.Y. Exec. L. §296(3), (10); 9 NYCRR § 466.11(a)(1), (b)(2). If the Employer finds an accommodation “reasonable” where it entails an employee going to work unvaccinated, being unvaccinated cannot pose an “undue hardship,” i.e. “severely interfere with operations.” Where nurses with “pre-existing health condition[s]” are permitted to continue working unvaccinated, the Employer cannot single out Ms. Bandalos for lacking a “pre-existing health condition” and label her presence an “undue hardship,” “a potential danger to persons or property,” or determine that being unvaccinated “would severely interfere with operations.”

Furthermore, under the Order, an employee is only required to be vaccinated if she could potentially expose patients or residents to COVID-19. Here, however, the Employer fails to allege that Ms. Bandalos works in a role having exposure to patients or residents. Given these circumstances, the Employer has failed to allege facts sufficient to conclude that Ms. Bandalos is even covered by the Order. Further, regarding the portion of the Order requiring employees who “could potentially expose . . . personnel” to get vaccinated, again, the Employer fails to show how Ms. Bandalos’ presence in the workplace could potentially expose other employees where employees with reasonable accommodations would not have the same potential.

Lastly, the Employer asserts that Ms. Bandalos “violated” the Order; however, this Order establishes standards of compliance for “covered entities” not standards of compliance for employees and personnel. Assuming, *arguendo*, the Employer does not comply with this Order due to Ms. Bandalos’ alleged failure to receive a first vaccination shot, the Employer is not relieved from separately proving the CBA Article 33.4(a)(1) standard to suspend her without pay, and the Employer has failed to do so.



Arbitrator Jay Siegel  
October 27, 2021  
Page 3

Based on the foregoing, the contractual standard for a suspension without pay has not been met, and Ms. Bandalos should be restored to the payroll with all pay, leave credits, and benefits restored.

Respectfully,

EDWARD J. GREENE, JR., ESQ.

By: Megan T. Drum

Megan T. Drum, Esq.  
Of Counsel

MTD/mjl

cc: Coreen Bandalos (Email Only)  
John Svare, Esq. (Email Only)  
Alison Thorne, Esq. (Email Only)  
Afton Larsen (Email Only)  
Amy Petragnani (Email Only)  
Richard Ahl (Email Only)  
Carin Perkins (Email Only)  
Bethany Hurteau (Email Only)



**Time Line:**

Hire date: 5-17-1985

1985-2001 – Clinical Asst. II

2001-present – T&R II RN

Charge number: 520-2022-00255

Notification to vaccinate: 8-4-2021 Questionnaire about vaccination status

8-24-2021 – Email to all employees

- DOH ordered all covered personnel to be vaccinated with the 1<sup>st</sup> dose by 9-27-2021
- will allow for limited medical & religious exemptions – consistent with applicable law
- DOH will monitor any such exemptions.
- Medical/Religious Exemption forms on Stony Brook website

8-25-2021 – I sent an email to Human Resources regarding the mandate

- Cindy Brodsky replied – waiting for future guidance

8-31-2021 – Follow-up email to Cindy Brodsky about vaccine mandate

9-1-2021 – Cindy Brodsky replied, still waiting on guidance

9-9-2021 – Sent (faxed) Religious exemption (1<sup>st</sup> time), see exhibit A

9-10-21 – Reply from Office of Equity & Access (“EOA”) stating Religious Exemption was removed.

- We are required to comply with the DOH and are not permitted to provide Religious exemptions for vaccine mandate.

9-13-2021 – I emailed Cindy Brodsky for an update on vaccine

- Cindy Brodsky replied, sorry still waiting on getting guidance, hopefully soon.

9-15-2021 – Email to all employees

- Federal Judge issues a temporary restraining Order regarding NYS vaccine mandate for healthcare personal
- vaccine remains in effect, but the State cannot enforce against Religious exemptions.
- any application for Religious exemptions to this mandate will be placed on temporary hold by Stony Brook pending further action by the court.

**\*WHY WAS I NOT ALLOWED TO WORK PENDING COURT OUTCOME  
LIKE OTHERS WERE\***

9-17-2021 – Email to all employees

- If no evidence of 1<sup>st</sup> vaccine by 5:00pm on 9-27-2021, you will be required to meet for a *disciplinary interrogation*.

- 2<sup>nd</sup> request for Religious exemption faxed to Office of Equity & Access

9-20-2021 – Email to all employees from Human Resources (“HR”)

- Colette Brown, stating no vaccine by 9-27-2021 at 5:00pm, every employee will be required to meet with Labor Relations Specialist for a disciplinary interrogation – You will receive separate notification of the date and time.

9-27-2021 – Conversation with Nurse Manager, Jeannie Gaspard, not to report to work 9-28-21

- I emailed Cindy Brodsky & Jeannie Gaspard confirming not to report to work on 9-28-2021
- I had to meet with manager in the middle of the street so she could hand deliver writing confirmation that my Religious exemption is being reviewed and I would receive a determination from EOA by next week, by mail.
- place on unpaid leave effective 9-28-2021
- Colette Brown, from HR also sent this letter via mail

9-29-2021 – Received letter via mail from Kim Marshall, Employee Relations manager

- stating my Religious exemption has been considered and denied, *there was no reason or explanation as to why.*
- to allow you time to comply you will be placed on leave, without pay, effective immediately, until 10-6-2021
- \*I was already place on leave without pay \***
- also, if I was not vaccinated by 10-6-2021 I will be suspended without pay pending termination

10-5-2021 – Stated EEOC inquiry

- received another letter via mail from Kim Marshall stating Religious exemption denied
- If no vaccine by 10-12-2021 I will be placed on leave without pay
- \*again, I was on leave without pay\***
- Received email from Brittany DeFronzo, from OEA office, apologizing for sending out letters with wrong addresses and again stating that employees with no vaccine will be placed on leave 10-12-2021

10-13-2021 – Faxed 3<sup>rd</sup> request for Religious exemption to OEA and Kim Marshall, Human Resources

- that request was sent with a copy of Judge Hurd’s order
- faxed 36 pages and **immediately** received an email stating your exemption request was already submitted, reviewed, and a determination was made. We cannot accept your resubmission, and there is no appeals process for the previously stated determination
- \*again, no reason why my request was denied, no way it could have been read\***
- received Notice of Suspension without pay via mail from Jo Arkin, Senior Labor Relations Associate
- Also stating, a Notice of Discipline containing charges will be sent to me within 5 days

10-14-2021 – phone call from Analise Polacsek, from Labor Relations

- confirming interrogation appointment on 10-15-2021
- email from Jo Arkin with appointment for interrogation information, including a copy of Article 33

10-15-2021 – Received via mail from Jo Arkin

- Notice of Discipline with five charges; violation, misconduct, dereliction of duties, incompetent, and insubordination.

**\*In my 37 years of employment at Stony Brook Hospital this is the first and only time I ever received any such charges or any discipline notice\***

10-15-2021 – Interrogation interview with Dina Kock, Labor Relations

- I was told that I was allowed only one person with me, either my PEF (union) representative, or my husband, who happens to be an attorney, who I brought to the interview.
- Lisa Pinkard said if PEF didn't witness the interrogation, then I would give up my rights with the union. Having no choice, I decided to have Lisa accompany me.
- During the interrogation, Dina Koch just gave me paperwork to sign and Lisa explained what it was.
- Having never been in this situation before, I got upset and stated "I feel like a criminal"
- at that time, even the interviewer, Dina, shed some tears as well.
- I received a Notice of Discipline with the charges again, Notice of Discipline and Election to use my time.
- I had to answer a couple of questions and was told to refer to my Religious exemption paperwork.
- again I was given Article 33

10-18-2021 – Email from Megan Drum, PEF attorney

- the email stated she would represent me on the Notice of Discipline and suspension
- PEF and only PEF can represent me in the expedited review, if I elect to use that process and she needed to know by 10-22-2021
- I decided to have Megan expedite

10-20-2021 – After MANY attempts, I finally got an appointment with EEOC for 1-13-2022

10-22-2021 – Email from Stacy McLea, Legal Secretary for PEF

- Letter was sent to arbitrator Jay Siegal in regards to suspension and the expedited review

10-22-2021 – Email from Afton Larson, PEF representative

- confirming phone appointment on 10-25-2021 and to answer any questions
- filed demand for arbitration on 10-21-2021 and Grievance form
- sent to Jeffery Kreigsman, Senior case Administrator

10-27-2021 – Megan Drum, PEF attorney sent an email to Stony Brook Hospital demanding my job back

10-29-2021 – I received an email from Megan stating arbitrator's decision

- stating "we were not successful".
- Also, that they may suspend an employee when there is probable cause or represents a potential danger.
- \*However, I did not present a potential danger for the year and a half prior to my suspension, through the worst of the pandemic, while performing my nursing duties without question, putting my family and myself at risk\***
- Megan stated that this was preliminary and does not mean I am terminated and does not impact my Religious accommodations

11-1-2021 – Got email from Megan Drum

- this email stated that she would be representing me with the disciplinary charges brought against me by Stony Brook Hospital

11-29-2021 – Got another email from Megan Drum

- asking if I wanted to go through a hearing with Arbitrator Eleanor Elovich Glanstein
- hearing dates, March or April, need a response by 11-3-2021

12-2-2021 – Phone meeting after back and forth emails, we spoke about:

- why others are still allowed to work
- negotiation, and court case against Governor
- back pay/time or compensation for early retirement
- what is arbitration
- the likeliness of the outcome
- she had a phone conversation with "someone" from Stony Brook and they are not willing to talk about any negotiations, just advised to get the vaccine.
- I asked Megan did she get this in writing and she said she did not
- I also asked if she can get it in writing and she never responded

12-13-2021 – Got email from Megan Drum with notice of hearing appointment 3-29-2023

12-14-2021 – Received hearing appointment via mail

**\*I did not want to wait to go through this hearing. Since being *forced* to retire, I have no choice but to fight for what I have worked 37 years for and deserve.\***

1-3-2022 – Received two letters, certified and first class mail, from Jo Arkin

- stating I was previously served a Suspension Notice of Discipline dated 10-15-2021 and attached is a revised Suspension Notice of Discipline, which has been revised to include the NYS Dept. of Health Regulation 10 NYCRR § 2.61 in the charges.

- 1-13-22 – Appointment with EEOC, spoke with Christiana Doriety, federal investigator
  - requesting I send all my paperwork to her.
  - official charge against Stony Brook
- 1-16-22 – Faxed complete charge, record, and decision from Stony Brook, 103 pages in total.
- 2-8-22 – A new document was added to the EEOC charge number
- 2-10-22 – Christiana Doriety from EEOC emailed to apologize for dropping the EEOC case and she will look into it.
- 2-16-22 – Got email from EEOC and was told to check email as they made a decision about charge.
- 4-4-22 – Emailed Christiana Doriety and she informed me the next day that the charge would be reopened for further processing and would be reviewed for referral for mediation and I would be contacted shortly by one of their ADR staff.
- 4-27-22 Emailed Christiana Doriety that I did not hear anything and I was told that she was out on leave.
- 5-24-22 – I emailed Christiana Doriety again stating I still have not received any determination.
- 6- 13-22 – Spoke with Ashras Ahmed, EEOC senior investigator, who took over Christiana Doriety's assignment
  - after 180 days I would get a notice to sue
  - investigation, position statement – mid/late July
- 6-16-22 – Ashras Ahmed sent a notice of intent to reconsider and no further action was necessary on my part.
- 6-22-22 - Ashras Ahmed explained that the Notice of Right to Sue Letter has now been voided and the case was reopened for an investigation and a response to the stated claims was expected within the next 4-6 weeks.
- 9-7-22 – Emailed Ashras Ahmed stating I still have not heard anything from EEOC, after which I received an email back stating that if I wanted to submit a rebuttal statement it was due to the Commission by 9-21-22. I notice I never would have gotten had I not emailed him.
- 10-11-22 – Got an email from a third EEOC investigator, Silvia Deng-Batista, closing the case without having known that we were in communication with Ashras Ahmed and that he wanted a rebuttal statement. This email also stated the claim was against the wrong hospital.

10-12-22 – I prepared and sent in a rebuttal as requested by Ashras Ahmed to both Silvia Deng-Batista and Ashras Ahmed, as Ashras Ahmed allowed me a couple of extra weeks to send it in.

10-19-22 – Got an email stating that a decision has been made.

Having gone through several investigators without any notice or transfer of information, no investigator knew what the other was doing.

JS 44 (Rev. 04/21)

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Coreen J. Bandalos, 437 Browns Rd. Nesconset N.Y.  
11767 Phone Number - 631-471-6196

(b) County of Residence of First Listed Plaintiff Suffolk  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)  
Pro Se

**DEFENDANTS**

Stony Brook University Medical Center

County of Residence of First Listed Defendant Suffolk  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   |                            |                            |   |                            |                            |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
|   | PTF                        | DEF                        |   | PTF                        | DEF                        |
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>LABOR</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>INTELLECTUAL PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habercas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:  
Title VII of The Civil Rights Act of 1964

**VII. REQUESTED IN COMPLAINT:**

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

1-9-2023

Pro Se

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_



**ARBITRATION CERTIFICATION**

I, \_\_\_\_\_, counsel for Pro SE do hereby certify pursuant to the Local Arbitration Rule 83.10 that to the best of my knowledge and belief the damages recoverable in the above captioned civil action exceed the sum of \$150,000 exclusive of interest and costs. \_\_\_\_\_ Relief other than monetary damages is sought.

**DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1**

Identify any parent corporation and any publicly held corporation that owns 10% or more of its stocks:

**RELATED CASE STATEMENT (SECTION VIII)**

All cases that are arguably related pursuant to Division of Business Rule 50.3.1 should be listed in Section VIII on the front of this form. Rule 50.3.1 (a) provides that "A civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or because the cases arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the same judge and magistrate judge."

**NY-E DIVISION OF BUSINESS RULE 50.1(d)(2)**

1.) Is the civil action being filed in the Eastern District removed from a New York State Court located in Nassau or Suffolk County: NO

2.) If you answered "no" above:

a) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in Nassau or Suffolk County? Yes

b) Did the events of omissions giving rise to the claim or claims, or a substantial part thereof, occur in the Eastern District? YES

If your answer to question 2 (b) is "No," does the defendant (or a majority of the defendants, if there is more than one) reside in Nassau or Suffolk County, or, in an interpleader action, does the claimant (or a majority of the claimants, if there is more than one) reside in Nassau or Suffolk County? \_\_\_\_\_

(Note: A corporation shall be considered a resident of the County in which it has the most significant contacts).

**BAR ADMISSION**

I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court.

Yes \_\_\_\_\_ No \_\_\_\_\_

Are you currently the subject of any disciplinary action (s) in this or any other state or federal court?

Yes \_\_\_\_\_ (If yes, please explain) No \_\_\_\_\_

Please provide your E-MAIL address and bar code below. Your bar code consists of the initials of your first and last name and the last four digits of your social security number or any other four digit number registered by the attorney with the Clerk of Court. (This information must be provided pursuant to local rule 11.1(b) of the civil rules).

Attorney Bar Code: \_\_\_\_\_

E-MAIL Address: \_\_\_\_\_

Electronic filing procedures were adopted by the Court in Administrative Order No. 97-12, "In re: Electronic Filing Procedures (ECF)." Electronic filing became mandatory in Administrative Order 2004-08, "In re: Electronic Case Filing." Electronic service of all papers is now routine.

I certify the accuracy of all information provided above.

Signature: \_\_\_\_\_